



department of
conservation
& recreation

Parks & Recreation
Regulations



302 CMR 12.00

dcr
Massachusetts



to protect, promote, and enhance
our common wealth of natural,
cultural, and recreational resources
for the well-being of all

Presentation Overview

- **Brief Context for Regulatory Reform**
- **Steps Taken Since Last Update**
- **Implications for Existing Regulations**
- **Key Changes to Draft Regulations**
- **New Provisions / Changes in Policy**
- **Next Steps**





- **Since 2003, DCR has operated under two different sets of parks and recreation regulations:**

- 350 CMR 2.00 and 350 CMR 12.00
(former MDC regulations)



- 304 CMR 12.00
(former DEM regulations)



- **Parks Unification – 2012**





Since the last presentation...

- **October 4, 2013 at Dunn Pond State Park**
- **November/December 2013:**
 - 5 State-Wide Public Hearings
 - 30-Day Public Comment Period
- **Winter – Spring 2014:**
 - Review comment and input
 - Revise draft regulations
 - Commissioner review and approval
- **Summer 2014:**
 - EEA, ANF, & Gov's Office review and approval



Implications for Existing Regs

- **DCR's Parks and Recreation Regulations will now exist in 302 CMR 12.00**
- **Promulgation of new regulations will:**
 - Rescind 350 CMR 2.00 and 12.00
 - Rescind all general parks and recreation regulations in 304 CMR 12.00

(NOTE: traffic and parking-related regulations in 304 CMR 12.23 will remain in effect)



Key Changes to Draft Regulations

- **Possession of Firearms**

- Draft regulations contained language that would have banned legal possession of firearms on properties where hunting is not allowed or would have required special or recreational use permit to possess a firearm.
- Language was inadvertent; meant to relate solely to hunting, not general lawful possession of firearms
- Final language removes reference to possession of firearms and permit requirement

Key Changes to Draft Regulations

- **Metal Detecting**

- Old DEM regulations allowed metal detecting on coastal and inland beaches and campgrounds
- Draft regulation would have banned metal detecting on all properties – unless searching for lost personal property
- Final regulations preserve metal detecting on coastal and inland sandy beaches ; limits it in other areas to finding lost personal property



Key Changes to Draft Regulations

- **Dog and Horse Access to Beach Areas**
 - DEM and MDC regulations did not have explicit provisions, but DCR had established policy
 - Draft regulations prohibited pets/horses on coastal/inland beaches from April 1 to September 30 (unless posted otherwise)
 - Final regulations prohibit pets/horses on coastal/inland beaches from May 1 to September 15 (unless posted otherwise)



Key Changes to Draft Regulations

- **Hunting Provisions**

- Hunting ban at Dunn Pond State Park and Lake Wyola State Park removed (*previously allowed under DEM regulations*)
- Language added to allow DCR Commissioner to open areas for hunting that are currently closed (*reflects current law and prior MDC regulations*)
- Hunting limitations in the “inter-tidal zone” removed; restores MDC regulation and rights afforded in Colonial Ordinance of 1641-47



Key Changes to Draft Regulations

- **Hunting Provisions**

- Old DEM provisions specific to Wompatuck State Park deleted where redundant with DFW rules and regulations
- Old DEM provisions placing additional obligations on hunters at Wompatuck not required at other DCR properties were removed
- Limit on number of hunting dogs removed
- Reference to compliance with MGL Ch. 130 added



Key Changes to Draft Regulations

- **Pets**

- Maximum number of pets each person allowed to have increased from three to four
- Maximum number of pets allowed at campsites increased from three to four
- Provision included allowing use of electronic training collars in off-leash dog areas



New Provisions/Changes in Policy

- **Pools & Waterfronts**
 - Minors aged 12 and under must be accompanied by parent or adult at pools
 - *Previously, only applied to hours after 6:00 PM*
 - Smoking prohibited in designated swimming areas
 - *Previously, only applied to department buildings and pools*



New Provisions/Changes in Policy

- **Camping/Campground**

- Explicit prohibition on generator use during quiet hours (10 PM – 7 AM) – except for operating a medical device
- Explicit requirement that all minors (under 18) be accompanied by adult
 - *Previously allowed with parent/guardian written permission*
- Prohibition on horses in campgrounds, unless designated
- Limits maximum of 4 pets per campsite



New Provisions/Changes in Policy

- **Pets, Horses, Animals**

- Prohibition of pets/horses from entering sensitive beach habitats when posted and on beaches from May 1 to September 15

(NOTE: Ensures compliance with federal and state endangered shorebird mandates)

- Limitation of 4 pets per person
- Requires all pets/animals be leashed, bridled, restrained, unless in an area designated/posted otherwise *(largely a change for former DEM properties)*



New Provisions/Changes in Policy

- **Permits**

- Establishment of a new annual Commercial Dog Walking Permit

- **Variances & Appeals**

- Formalizes process to request variance from DCR rules/regulations
- Formalizes provisions for appealing Agency decisions



- **Submit Final Regulations to Secretary of State for publication in *Mass Register***
 - Upon publication, new regulations become effective
 - Anticipated publication date: October 24, 2014



- **Public Notice, Communication, and Education**
- **Staff Communication and Training**
- **Develop plan to review and deploy new/ additional signage**





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**Thank you!
&
Questions?**